

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ECF Case

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ADRIAN HUFF, as Chairman of the Board of Trustees
of TEAMSTERS LOCAL 445 CONSTRUCTION
DIVISION PENSION FUND,

Civil Action No. 07 Civ. 7083
(CLB)(LMS)

Plaintiff,

- against -

RODAR ENTERPRISES, INC.,

Defendant.

**NOTICE OF PLAINTIFF'S
MOTION FOR AN AWARD OF
UNPAID WITHDRAWAL
LIABILITY, INTEREST ON
UNPAID WITHDRAWAL
LIABILITY, LIQUIDATED
DAMAGES, ATTORNEYS'
FEES AND EXPENSES
PURSUANT TO 29 U.S.C. §
1132(G)(2)**

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PLEASE TAKE NOTICE, that upon the attached Affidavit of William D. Frumkin, Esq., with exhibits thereto; Affidavit of William F. Cusack III, Esq.; Plaintiff's Memorandum of Law; and the pleadings and proceedings in this action, Plaintiff will move before the Hon. Charles L. Brieant, United States District Judge, in the United States Courthouse, Courtroom 218, located at 300 Quarropas St., White Plains, New York 10601, on a date and time to be determined by the Court, for an Award of Liquidated Damages, Attorneys' Fees and Expenses Pursuant to 29 U.S.C. § 1132(G)(2) and granting such other relief as the Court deems just, proper, and equitable.

Dated: White Plains, New York
January 28, 2008

Respectfully submitted,
SAPIR & FRUMKIN LLP

By: /s/ William D. Frumkin
William D. Frumkin (WF2173)
William F. Cusack III (WC2497)
Attorneys for Plaintiff
399 Knollwood Road, Suite 310
White Plains, New York 10603
(914) 328-0366

CERTIFICATE OF SERVICE

I hereby certify that I am not a party to this action and am over 18 years of age. I further certify that on January 28, 2008, a copy of the Notice of Plaintiff's Motion for an Award of Unpaid Withdrawal Liability, Interest on Unpaid Withdrawal Liability, Liquidated Damages, Attorneys' Fees and Expenses Pursuant to 29 U.S.C. § 1132(G)(2) was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt including:

Edmund V. Caplicki, Jr., Esq.
Law Offices of Edmund V. Caplicki, Jr.
P.O. Box 15
LaGrangeville, New York 12540

Parties may access this filing through the Court's electronic filing system

/s/ Rachel L. Horton

Rachel L. Horton